



**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

Chambers of
J. Mark Coulson
U.S. Magistrate Judge

101 West Lombard Street
Baltimore, Maryland 21201
MDD_JMCChambers@mdd.uscourts.gov
Phone: (410) 962-4953
Fax: (410) 962-2985

December 10, 2015

LETTER TO ALL COUNSEL OF RECORD

Re: Perez v. Chimes District of Columbia, Inc. et al.
Civil No. 15-3315-RDB

Dear Counsel:

The Court is in receipt of various miscellaneous correspondence relating to a potential settlement conference pursuant to Judge Bennett's referral for same. (ECF Nos. 22, 24, 25.) Plaintiff has expressed a preference to have a separate conference with the so-called "Chimes Defendants" first, before considering a conference with the remaining defendants (the so-called "FCE Defendants" and "BCG Defendants") at a later point in time. Plaintiff asserts that this approach may simplify any future discussions with the FCE and BCG Defendants. The FCE Defendants and BCG Defendants challenge this approach. They contend that any settlement conference should include all defendants due to a commonality of issues, and that they are very eager to engage in meaningful discussions even at this early stage of litigation. (For their part, the Chimes Defendants have expressed no preference regarding the participation of the other defendants but would like to proceed one way or the other.)

The Court is mindful that its settlement process is a voluntary one. Additionally, the Court does not find anything inherently wrong with a plaintiff being strategic about which, if any, of multiple defendants it chooses to involve in such discussions. That said, the Court is impressed by the enthusiasm of the FCE and BCG Defendants to participate. Accordingly, the Court is inclined to schedule a single conference with all parties. This is without prejudice to Plaintiff's ability to request more limited conferences in the future with less than all of the defendants should the parties not reach a global resolution.

Notwithstanding that we will proceed with a single conference attended by all parties, any party may request confidential discussions or exchanges of information with any other party during

the conference, and there is no prohibition in reaching a partial settlement of less than all claims with less than all parties if a global settlement cannot be reached.

I will ask my judicial assistant to contact you with potential dates for the conference, and you will receive further instructions from chambers on the timing, content, and format of pre-conference ex parte submissions. Because my role in this case is limited to facilitating settlement, I am also willing to have ex parte conversations concerning settlement with any of you prior to the conference. Finally, our physical space is limited. Given the number of parties, I would request that each party work to limit the number of participants as much as possible and advise chambers of the expected number of attendees at the time of scheduling.

Despite the informal nature of this letter, it is an Order of the Court and the Clerk is directed to docket it as such.

Sincerely yours,

/s/

J. Mark Coulson
United States Magistrate Judge

cc: The Honorable Richard D. Bennett